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OFFICIAL GAZETTE

GOVERNMENT OF GOA



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EXTRAORDINARY

GOVERNMENT OF GOA

Department of Home
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Magisterial Branch

Order

No. 8/8/2021-MAG/L&O/(Vol.II)/Bye Elect Reis
Magos/200 mts/2665

U/S 144 of Criminal Procedure Code, 1973

Whereas, the Goa State Election Commission has announced the Bye Election to 12-Reis Magos Zilla Panchayat Constituency in Bardez Taluka of North Goa District is scheduled to be held on 16-10-2022 and Counting of polled votes fixed on 18-10-2022. The Model Code of Conduct has already come in to force with immediate effect. The Goa State Election Commission has issued directions to ensure free, fair and peaceful Election;

And whereas, there is possibility of political disputes, confrontation, violence and breach of peace mainly due to misuse of hotels, restaurants, tea shops, pan shops and other food shops/joints (Dhabas, Gaddas) etc., due to gathering of crowd at places within the vicinity of 200 meters of the polling stations which creates nuisance and law and order problems.

And whereas, Sections 171-B and 171-C of the Indian Penal Code (IPC) clearly disallow attempts of

bribery and undue influence on any person or voter and whoever commits offence of bribery is punishable under Section 171-E of IPC and whoever commits the offence of undue influence or impersonation at an election is punishable under Section 171-F of IPC.

And whereas, I am satisfied that the circumstances do not permit the serving, in due time, of the notices individually upon the persons against whom this order is directed and therefore, under the powers vested in me under sub-section (2) of Section 144 of the Code of Criminal Procedure, 1973 I hereby pass the order ex-parte.

Now therefore, I, Sanjeev C. G. Dessai, Additional District Magistrate, North Goa District, in exercise of the powers vested in me under sub-section (1) of Section 144 of Code of Criminal Procedure, 1973 hereby issue following Prohibitory orders:

1. That all Restaurants, Bars, Tea shops, Pan shops, Eateries and other Food shops/joints (Dhabas, Gaddas) etc., situated in 12-Reis Magos Zilla Panchayat Constituency in Bardez Taluka of North Goa District jurisdiction within 200 mtrs. of the polling station on day of poll i.e. on 16-10-2022 from 06.00 a.m. to 06.00 p.m. and Counting Centre on day of counting i.e. on 18-10-2022 from 06.00 a.m. till end of counting of votes of 12-Reis Magos Zilla Panchayat Constituency in Bardez Taluka of North Goa District shall remain closed.

2. Ban any gathering or crowd comprising of more than 5 persons within 200 meters of polling stations with in the area of 12-Reis Magos Zilla Panchayat Constituency in Bardez Taluka of North Goa District.

I further direct that the above restrictions shall not apply to public servants on duty and to bonafide marriage or funeral processions or religious processions/functions. Also, the above order shall not apply to the authorized officers on Election

Duty by the State Government, including the Polling officials, Magistrates, Police officials and Government staff.

Failure to comply with this order shall be liable for penal action under Section 188 of Indian Penal Code and other relevant provisions of laws in force.

Given under my hand and seal of this office on this 10th day of October, 2022.

Panaji.— The Additional District Magistrate (North), *Sanjeev C. G. Dessai*.

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